

EXHIBIT F

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JAMES HAYDEN,

CASE NO: 1:17CV2635

Plaintiff,

v.

2K GAMES, INC., et al.,

Defendants.

Deposition of JAMES HAYDEN

Cleveland, Ohio

Wednesday, October 30, 2019 - 9:04 a.m.

Reported by:

Angela Nixon, RMR, CRR

Job No.: 26345

1 MR. MCMULLEN: Objection.

2 A. No.

3 Q. And when you inked Mr. Thompson, Mr. Green and
4 Mr. James, you didn't tell them that they would need your
5 permission to appear in video games showing their tattoos,
6 right?

7 A. No.

8 Q. Is it fair to say that in the tattoo industry,
9 that when a client leaves the tattooist's parlor he or she
10 can go about their life as they wish without needing to run
11 back to the tattooist for permission?

12 MR. MCMULLEN: Objection.

13 A. I guess so.

14 Q. So I believe you said you've gone to NBA
15 basketball games and you've watched them on TV from time to
16 time, is that right?

17 A. Yes.

18 Q. And I -- I believe you said that you didn't
19 actually play the video games yourself at issue in this
20 case but that you watch others play them for you, to show
21 you what they look like, is that fair?

22 MR. MCMULLEN: Objection.

23 A. I've held the -- the thing before, but it's not
24 something I -- it's not in my bag.

25 Q. But you looked into how the players were depicted

1 and how the -- what the avatars look like?

2 A. Yes.

3 Q. Now, do you play other video games?

4 A. No.

5 Q. Have you ever played an EA basketball game?

6 A. No.

7 Q. Do you know which of the different versions of
8 the NBA 2K basketball games you've played?

9 A. I can't remember.

10 Q. Now, the NBA 2K basketball games simulate the
11 sport of basketball, is that right?

12 MR. MCMULLEN: Objection.

13 A. I guess they do.

14 Q. So the NBA 2K Games depict real NBA players,
15 right?

16 MR. MCMULLEN: Objection.

17 A. I guess it does.

18 Q. And do you understand that in each of the NBA 2K
19 Games that, you know, the users can choose between 300 or
20 so current and retired NBA players?

21 MR. MCMULLEN: Objection.

22 A. Say it again.

23 Q. Sure. Do you understand that when, you know, a
24 user wants to play an NBA 2K Game, they can choose between
25 loaded on to the system, you know, 300 or so different